

### REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-28 and 43-56 are pending in the present amendment. Claims 1, 4, 5, 7-11, 13-15, 18, 19, 21-25, 27, 28, 43, 46, 47, 49-53, 55, and 56 are amended by the present response. Support for the amendments to the claims can be found in the disclosure as originally filed, at least on page 30, lines 9-25 and page 31, lines 1-8. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-28 and 43-50 were rejected under 35 U.S.C. § 112, first paragraph, as not describing the claimed subject matter; and Claims 1-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ikegami (U.S. Patent No. 6,745,334) in view of Kurokawa (U.S. Patent No. 5,887,088).<sup>1</sup>

With regard to the rejection of Claims 1-28 and 43-56 under 35 U.S.C. § 112, first paragraph, as not describing the claimed subject matter, Applicants respectfully submit that pages 30, lines 9-25 and page 31, lines 1-8 describe the claimed portion of Claim 1. MPEP § 2163.04 points out

The examiner, therefore, must have a reasonable basis to challenge the adequacy of the written description. The examiner has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims.<sup>2</sup>

Applicants respectfully submit that this burden has not been met by the in this rejection in the outstanding Office Action. Nevertheless, Applicants have amended Claims 1, 4, 5, 7-11, 13-15, 18-19, 21-25, 27-28, 43, 46-47, 49-53, and 55-56 to clarify that

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<sup>1</sup> While the outstanding Office Action only stated Claims 1-8 were rejected, Applicants assume that Claims 9-28 and 43-50 were also rejected under 35 U.S.C. § 103(a) as unpatentable over Ikegami in view of Kurokawa based on the outstanding Office Action's examination of those claims.

<sup>2</sup> *In re Wertheim*, 541 F.2d 257, 263 (CCPA 1976).

an assigning part assigning a selected application that is selected on the screen to a function key when the function key is pushed, such that the selected application is executed when the function key is later pushed after assigning of the selected application has occurred;

Accordingly, Applicants respectfully request the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

With regard to the rejection of Claims 1-28 and 43-56 under 35 U.S.C. § 103(a) as unpatentable over Ikegami in view of Kurokawa, Applicants respectfully traverse this rejection.

Applicants have amended Claim 1 and similarly Claims 15 and 43 to recite,

wherein the function key is a key used for a user to select and execute an application from a plurality of applications that are useable on the image forming apparatus and that include at least one of a copy application, a printer application, and a facsimile application.

The outstanding Office Action on pages 3 and 4 asserts that the Ikegami reference renders obvious the assigning features of Claim 1 by describing a paper selection key 267 shown in Figure 6 and described in Col. 8, lines 28-47 of Ikegami. Amended Claim 1 further defines the type of applications that can be assigned to the function keys. Accordingly, Applicants respectfully submit that the Ikegami does not describe or render obvious Amended Claim 1.

The Kurokawa reference does not cure this defect of Ikegami with regard to the failure of this reference to describe the assigning feature of amended Claim 1.

The Kurokawa reference describes an automatic desktop form generator that receives information on the directory requested by the user from the file system and analyzes the list

information.<sup>3</sup> However, Kurokawa does not describe assigning of applications as recited in amended Claim 1.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and any claims dependent therefrom) patentably distinguish over Ikegami and Kurokawa. Amended Claims 15 and 43 recite elements analogous to those of Claim 1. Thus, amended Claims 15 and 43 patentably distinguishes over Ikegami and Kurokawa, for at least the reasons noted above with regard to Claim 1.

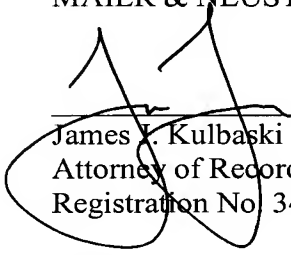
Consequently, in light of the above discussion, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>3</sup> See Kurokawa, Col. 19, lines 27-31.